

EPD - Proposed Consultations/Legislation 2012

Proposed Consultation/Legislation	Description/Summary	Target Date for Consultations etc	Target Date for Legislation
Single Use Carrier Bags Regulations (Northern Ireland) 2012	This legislation will introduce a levy on single use carrier bags. The levy will be paid by consumers to retailers. Retailers will pay the proceeds to the Department of the Environment.	It is hoped that a public consultation document will issue in March 2012.	December 2012.
National Parks	Consultation on potential policy proposals to establish a framework for designating National Parks	Consultation issued on 24 March and closed on 31 October 2011	Not possible to provide a target date at this time
The Chemical Analysis of Water Status (Technical Specifications) Regulations (Northern Ireland) 2011	To transpose Directive 2009/90/EC (the Quality Assurance Quality Control or QAQC Directive) setting standards for laboratory analysis and establishing rules for demonstrating the quality of analytical results. It impacts solely on the duties of Government – particularly the Northern Ireland Environment Agency (NIEA) and any sub-contracted services.	No consultation necessary – technical regulations that only affect duties of Government.	Legislation completed SR 2011 No. 238 came into operation on 20 August 2011
Quality of Bathing Water (Amendment) Regulations (Northern Ireland) 2012	To add an additional bathing water to the list of bathing waters that require monitoring by NIEA..	Consultation closed November 2011.	31 May 2012
Legal Notice under Article 6 of the Water (Northern Ireland) Order 1999	To review designation of shellfish waters in Northern Ireland.	31 March 2012	31 December 2012 (subject to consultation outcome)

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Legal Notice under Article 6 of the Water (Northern Ireland) Order 1999	In conjunction with RoI authorities, to consult on possible designation of Lough Foyle as a “shared” Shellfish Water.	31 March 2012	31 December 2012 (subject to consultation outcome)
Water Framework Directive (Priority Substances and Classification) (Amendment) Regulations (Northern Ireland) 2012	To align timeframes in existing legislation to new European Commission guidelines for the deadline for the introduction of a substance inventory.	Consultation not necessary as date change affects DOE operations only.	31 October 2012.
Nitrates Action Programme (Amendment) Regulations (Northern Ireland) 2012	To specify the requirements for the storage of poultry litter in a manner agreed with the European Commission.	Consultation not necessary as storage of poultry litter was fully considered in consultation on the original 2010 regulations	30 April 2012
Addendum to the Northern Ireland Waste Management Strategy	The Department consulted on a reassessment of the NI Waste Management Strategy 2006-2020 to take account of the requirements of the revised Waste Framework Directive.	Consultation closed on 20 October 2011.	No legislation involved
Review of the Waste Management Strategy	The review will result in a recast of the 2006 Waste Management Strategy focussed on resource efficiency	June 2012	No legislation required
Consultation on Northern Ireland Environmental Noise Directive Action Plan and Competent Authority Noise Action Plan Guidance	The consultation is on the Technical Guidance on Noise Mapping and Action Planning for roads, railways and airports. It aims to assist the competent authorities fulfil their obligations under the Environmental Noise Regulations (NI) 2006	March 2012	No legislation involved.

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<p>The Control on Dogs (Non-application to Designated Land) Order</p> <p>The Dog Control Orders (Procedures) Regulations</p> <p>The Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations</p>	<p>Subordinate legislation required to implement the new Dog Control Order regime which will replace the current system of dog byelaws and the dog fouling provisions in Article 4 of the Litter (Northern Ireland) Order 1994.</p>	<p>Consultation ran from 23 March to 15 June 2011.</p>	<p>1 April 2012</p>
<p>The Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations</p>	<p>The Regulations will prescribe the ranges within which the amounts of certain fixed penalties that are capable of being specified by a district council are required to fall. The Regulations also prescribe the minimum amount of fixed penalty that a district council may (if it chooses to do so) treat as full payment of the fixed penalty.</p>	<p>Consultation ran from 29 June to 23 September 2011.</p>	<p>1 April 2012</p>
<p>The Removal and Disposal of Vehicles (Prescribed Period) Regulations</p>	<p>The Regulations will prescribe 7 days as the period before which a notice must be affixed in certain cases to a vehicle which is fit only for destruction before a district council may remove it under Article 30(2) of the Pollution Control and Local Government (NI) Order 1978</p>	<p>Consultation ran from 28 September to 21 December 2011.</p>	<p>1 April 2012</p>
<p>The consultation on Code of Practice on Litter; Guidance on Litter; preventing Cigarette litter; Extension of Street Control Notices</p>	<p>Statutory guidance required to implement the new litter requirements which will amend the Litter (Northern Ireland) Order 1994</p>	<p>Consultation ran from 13 June to 30 September 2011.</p>	<p>1 April 2012</p>

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	Regulations will extend the provisions of the Street Litter Control Notices which implements the amendments contained in the CNEA		
Consultation on Guidance on Audible Intruder Alarms; Statutory Nuisances; Amendments to the Noise Act	Guidance required to accompany the new Regulations needed to implement the requirements of the Statutory Nuisance amendments	Consultation ran from 5 September to 25 November 2011	1 April 2012
High Hedges (Fee) Regulations (Northern Ireland) High Hedges (Fee Transfer) Regulations (Northern Ireland)	Subordinate legislation required to fully implement the High Hedges Act (Northern Ireland) 2011: Regulations to limit the level of complaints fee that a council can levy for dealing with a High Hedge complaint; and Regulations to allow councils to levy a fee on the 'hedge owner' in cases where a remedial notice requiring action to deal with a problem hedge has taken effect.	Consultations complete and synopsis of responses and proposals approved by Minister and Environment Committee	Aim to commence the High Hedges Act (Northern Ireland) 2011 and bring both sets of Fee Regulations into operation by 31 March 2012 . This includes the amending Northern Ireland Valuation Tribunal Rules which will be made by the Department of Justice to deal with High Hedge appeals.
Consultation on draft Site Waste Management Plans Regulations	The Regulations will make site waste management plans compulsory for all construction projects over £300k	completed	DEFRA recently completed a review of the implementation and impact of the SWMP regulations in England. The outcome of this review is due shortly. The Department intends to consider the findings of

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			this review before a decision is made on making the NI regulations this year.
Re-cast of the Waste Electrical and Electronic Directive (2002/96/EC) WEEE	In December 2008, the EC published new proposals for consideration. Negotiations are still ongoing and are expected to reach a conclusion in Summer 2012	October 2012.	Legislation not expected during this period
Amendment to the Producer Responsibility Obligations (Packaging Waste) Regulations (NI) 2007	The Regulations will introduce new recovery and recycling targets for packaging waste for the period 2013-2017	Consultation will finish on 10 February 2012	Regulations to be made by July 2012
Amendment to the Landfill Regulations (NI) 2003	Consultation on applying amended Regulations to landfill sites closed between July 2001 and Jan 2004	January 2013	TBC
Draft Smoke Control Areas (Exempted Fireplaces) Regulations (NI) 2011	The Regulations will consolidate the 2010 Regulations and prescribe additional classes of fireplace to be exempt from the provisions of Article 17 of the Clean Air (NI) Order 1981. The Regulations allow the use (subject to strict conditions) of wood, peat and coal fuelled fireplaces in smoke controlled areas.	No consultation required.	April 2012
The Smoke Control (Authorised Fuels) Regulations (NI) 2011.	These will consolidate the 2008 and 2010 Regulations and add additional fuels to those already authorised for use within smoke control areas.	No consultation required	Regs came into operation on 28 November 2011

Updated January 2012

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Pollution Prevention and Control Regulations (Northern Ireland) 2012	The Regulations will transpose the Industrial Emissions Directive (2010/75/EU) which brings together 7 overlapping Directives covering similar industrial pollution activities.	March 2012	To be transposed by 6 January 2013.
Registration, Evaluation and Authorisation of Chemicals (REACH) (Amendment) regulations – UK wide	Input to Defra led amendment of UK-wide REACH regulations to include provisions relating to asbestos, and to enforcement powers.	TBC – awaiting Defra lead.	Not known, as awaiting Defra instructions
Pollution Prevention and Control(Amendment No 2) Regulations (NI) 2011.	Amendment to transpose Directive 2009/126/EC on Stage II Petrol Vapour recovery during and refuelling of motor vehicles at service stations and other minor amendments .	Issue consultation by June2011.	Regs came into operation on 31 December 2011.
Fluorinated Greenhouse Gases (Amendment) Regulations (NI) 2012	The proposed Regulations will amend the existing F-Gases Regulations. They will remove prohibition notices, update the definition of offshore installations and provide increased scope for legally accepted qualifications	Consultation issued on 8 December 2011	April 2012